

IN RE: PETITION FOR VARIANCE
N & S/S of Elan Road, 900' W
of Foxland Road
10th Election District
6th Councilmanic District
(Tract "A" of Highfields A46/23)

Edward and Billie Miller &
Ronald and Janice Allen
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-315-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Edward and Billie Miller and Ronald and Janice Allen. The Petitioners are requesting a special hearing to approve the following:

1. To transfer a 0.0423 acre portion of Lot 7 to Tract "A" of "Highfields";
2. To remove Tract "A" as reconfigured, and its associated density of 1.61 acres +/- from "Highfields";
3. To amend the Plat and F.D.P. of "Highfields" pursuant to Zoning Commissioner's Order; and
4. To designate a 0.798 acre +/- portion of reconfigured Tract "A" as a non-density area to Lot 7, with the density of Tract "A" remaining with the developable area of Tract "A: and to be transferred to Parcel 333. All as shown more particularly on the following plat to accompany Petition for Special Hearing of 1st Amended F.D.P. of "Highfields".

Appearing at the hearing on behalf of the special hearing request were Ron Allen and Ed Miller, owners of the property involved in this special hearing request, along with Brian Dicara, appearing on behalf of McKee & Associates, the engineers who prepared the site plan of the property and Howard L. Alderman, Jr., attorney at law, representing the Petitioners. There were no protestants in attendance at the hearing.

ORDERED AND FILED FOR FILING
4/25/02
BY R. J. [Signature]

Testimony and evidence indicated that Mr. & Mrs. Ronald Allen are interested in conveying to Mr. & Mrs. Miller a 0.0423 acre parcel of land which consists of two 30 ft. wide strips of property which are part of their property known as "Lot 7" of the subdivision known as "Highfields". The purpose of conveying these two 30 ft. wide strips is to provide access to property owned by Mr. & Mrs. Miller. In return for this conveyance, Mr. & Mrs. Miller propose, pursuant to this special hearing request, to convey back to Mr. & Mrs. Allen a 0.798 acre parcel of property which will be joined with the Allen's current land holdings. Mr. & Mrs. Miller thereafter intend to proceed through the minor subdivision process in order to create two buildable lots on the land that they own which is currently unimproved at this time. Each of these lots will have its own 30 ft. means of access to Eland Road.

In addition to the cross conveyance of the lands previously identified, the Petitioners are also requesting approval to remove tract "A" from the subdivision known as "Highfields" and to amend the Final Development Plan of "Highfields". Furthermore, special hearing approval is requested to designate the 0.798 acre portion of Tract "A" as a non-density area to Lot 7. As stated previously, no one appeared in opposition to the Petitioners' request and the Office of Planning supports these transfers. It should be noted that by the conveyance of an additional 30 ft. wide strip of land from the Allen's to the Miller's, no panhandles will be created for either of the lots to be created by the Miller's minor subdivision.

After due consideration of the testimony and evidence presented at the hearing and the lack of opposition to this special hearing request, I find that the request should be granted. It is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular

parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

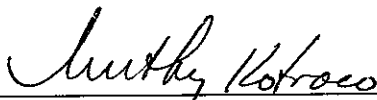
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 25th day of April, 2002, that the Petitioners' Request for Special Hearing from Section 500.7 of the B.C.Z.R., to approve the following:

1. To transfer a 0.0423 acre portion of Lot 7 to Tract "A" of "Highfields";
2. To remove Tract "A" as reconfigured, and its associated density of 1.61 acres +/- from "Highfields";
3. To amend the Plat and F.D.P. of "Highfields" pursuant to Zoning Commissioner's Order; and
4. To designate a 0.798 acre +/- portion of reconfigured Tract "A" as a non-density area to Lot 7, with the density of Tract "A" remaining with the developable area of Tract "A: and to be transferred to Parcel 333. All as shown more particularly on the following plat to accompany Petition for Special Hearing of 1st Amended F.D.P. of "Highfields".

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 25, 2002

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 02-315-SPH
Property: Tract "A" of Highfields A46/23

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. & Mrs. Ed Miller
13939 Blenheim Road
Phoenix, MD 21131

Mr. & Mrs. Ronald Allen
3900 Eland Road
Phoenix, Maryland 21131

Brian Dicara
McKee & Associates
5 Shawan Road, Suite 1
Cockeysville, MD 21030



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Tract "A" of Highfields A46/23
which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

* See Attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

N/A
Name - Type or Print
Signature
Address Telephone No.
City State Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr.
Name - Type or Print
Howard L. Alderman, Jr.
Signature
Levin & Gann, P.A.
Company
502 Washington Avenue, 8th Floor (410) 321-0600
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s): TRACT 'A'

Edward Miller Billie F. Miller
Name - Type or Print
Edward L. Miller
Signature
See Attached No. 2
Name - Type or Print

c/o Gaylord Brooks Realty Co., Inc. (410) 667-0800
Address Telephone No.
3312 Paper Mill Road, P.O. Box 400, Phoenix, MD 21131
City State Zip Code

Representative to be Contacted:

Brian A. Dicara
Name
McKee & Associates, Inc.
Address
5 Shawan Road, Suite 1 (410) 527-1555
Address Telephone No.
Cockeysville, Maryland 21030
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SDJ Date 01-29-02

W.C.R.

ORDER RECEIVED FOR FILING

Case No. 02-315-SPI

Date 9/15/98

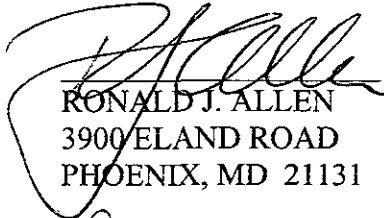
By [Signature]

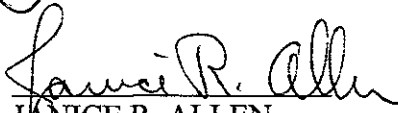
PETITION FOR SPECIAL HEARING

PAGE 2

LOT 7 HIGHFIELDS

TRACT "A" OF HIGHFIELDS A46/23


RONALD J. ALLEN
3900 ELAND ROAD
PHOENIX, MD 21131


JANICE R. ALLEN
3900 ELAND ROAD
PHOENIX, MD 21131

02-315 SP41

PETITION FOR SPECIAL HEARING

January 23, 2002

Page Two

.0423 TMK

- 1) To transfer a ~~0.27~~ acre +/- portion of Lot 7 to Tract 'A' of "Highfields".
- 2) To remove Tract 'A' as reconfigured, and its associated density of 1.61 acres +/- from "Highfields".
- 3) To amend the Plat and F.D.P. of "Highfields" pursuant to Zoning Commissioner's Order.
- 4) To designate a 0.798 acre +/- portion of reconfigured Tract 'A' as a non-density area to Lot 7, with the density of Tract 'A' remaining with the developable area of Tract 'A' and to be transferred to Parcel 333. All as shown more particularly on the following Plat to Accompany Petition for Special Hearing of 1st Amended F.D.P. of "Highfields".

02.315-SPH

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

January 22, 2002

**ZONING DESCRIPTION
FOR #3900 ELAND ROAD
10th ELECTION DISTRICT
6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point on the north side of Eland Road which is 50 feet wide at the distance of 900 feet west of the centerline of the nearest improved intersecting street Fox Land Road which is 50 feet wide.

BEING Lot 7 in the resubdivision of "Lots 7 and 8 Highfields" as recorded in Baltimore County Plat Book 46, folio 93 containing 4.190 acres of land, more or less.

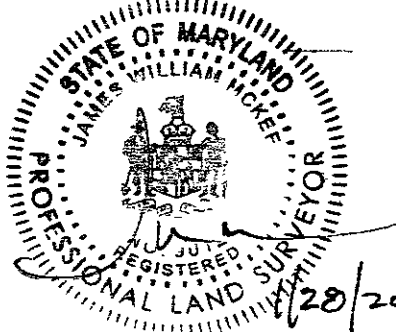
ALSO BEING known as #3900 Eland Road and located in the 10th Election District, 6th Councilmanic District.

**ZONING DESCRIPTION
FOR TRACT 'A' OF "HIGHFIELDS"
10TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point said point being South 03 degrees 06 minutes 11 seconds East, 43.44 feet from the south side of Eland Road which is 50 feet wide at the distance of 900 feet west of the centerline of the nearest improved intersecting street Fox Land Road which is 50 feet wide.

BEING Tract 'A' in the resubdivision of "Lots 7 and 8 Highfields" as recorded in Baltimore County Plat Book 46, folio 93 containing 1.58 acres of land, more or less.

ALSO BEING known as Tract 'A' and located in the 10th Election District, 6th Councilmanic District.



02-315-SPL

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-315-SPH
Tract "A" of Highfields
A46/23
N & S/S of Elan Road, 900'
W of Foxland Road
10th Election District
6th Councilmanic District
Legal Owner(s):
Billie F. & Edward Miller
Special Hearing: to transfer
a 0.27 acre +/- portion of lot
7 to Tract "A" of Highfields.
Hearing: Wednesday,
March 27, 2002 at 11:00
a.m. in Room 407, County
Courts Building, 401 Bos-
ley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

JF 3/650 Mar. 12 0525399

CERTIFICATE OF PUBLICATION

3/14/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 3/12/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

NEW DATE

RE Case No. 02-315-SPH

Petitioner/Developer M^cKEE ETAL

ALDERMAN, ESTD

Date of Hearing/Closing 4/25/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111,
111 West Chesapeake Avenue
Towson, MD 21204

HIGHFIELDS

Attention ZONING / GEORGE ZAHNER

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at END OF ELAND RD.
960' E W. FOXLAND RD.

The sign(s) were posted on 4/3/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

ZONING NOTICE

Case #: 02-315-SPH

A PUBLIC HEARING WILL BE HELD
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE 900-457 COUNTY COURTS BUILDING
201 BOWEN AVE

TIME & DATE 4:00 PM TO 6:00 PM

SPECIAL HEARING TO TRANSLATE A

DEVELOPMENT FROM A RESIDENTIAL ZONE TO A TRACTA OF

HIGHFIELDS

PLEASE ATTEND TO THE SCHEDULED HEARING

HEARINGS ARE CONDUCTED ACCORDING TO THE

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-315-SPH.

Petitioner: EDWARD MILLER

Address or Location: PORTION OF TRACT "A" HIGHFIELDS A 46/73
& PORTION OF LOT # 7 HIGHFIELDS

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD MILLER

Address: 40 GAYLORD BROOKS REALTY CO. 3312 PAPER MILL RD.
P.O. BOX 400, PHOENIX, MD 21131


Telephone Number: (410) 667-0800


Revised 2/20/98 - SCJ

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____ see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____
 plat book # _____, folio # _____, lot # _____, section # _____
 OWNER: _____

North 
 date: _____
 prepared by: _____
 Scale of Drawing: 1" = _____

 Vicinity Map
 scale: 1" = 1000'

LOCATION INFORMATION

Election District: _____
 Councilmanic District: _____
 1" = 200' scale map#:

Zoning: _____
 Lot size: _____

acreage _____ square feet _____

public private
 SEWER: ☐ ☐
 WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no
 Prior Zoning Hearings: _____

Zoning Office USE ONLY

reviewed by: _____ ITEM #: _____ CASE#: _____

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 12, 2002 Issue – Jeffersonian

Please forward billing to:
Edward Miller
3312 Paper Mill Road
Phoenix MD 21131

410 667-0800

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-315-SPH
Tract "A" of Highfields A46/23
N & S/S of Elan Road, 900' W of Foxland Road
10th Election District – 6th Councilmanic District
Legal Owners: Billie F & Edward Miller

Special Hearing to transfer a 0.27 acre +/- portion of lot 7 to Tract "A" of Highfields.

HEARING: Wednesday, March 27, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

February 25, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-315-SPH
Tract "A" of Highfields A46/23
N & S/S of Elan Road, 900' W of Foxland Road
10th Election District – 6th Councilmanic District
Legal Owners: Billie F & Edward Miller

Special Hearing to transfer a 0.27 acre +/- portion of lot 7 to Tract "A" of Highfields.

HEARING: Wednesday, March 27, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GDL
Director

C: Howard L Alderman Jr, Levin & Gann, 402 Washington Avenue, 8th Floor,
Towson 21204
Billie F & Edward Miller, c/o Gaylord Brooks Realty Co Inc, 3312 Paper Mill Road,
Phoenix 21131
Brian A Dicara, McKee & Associates Inc, 5 Shawan Road, Suite 1,
Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 12, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

March 20, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-315-SPH
Tract "A" of Highfields A46/23
N & S/S of Elan Road, 900' W of Foxland Road
10th Election District – 6th Councilmanic District
Legal Owners: Billie F & Edward Miller

Special Hearing to transfer a 0.27 acre +/- portion of lot 7 to Tract "A" of Highfields.

HEARING: Thursday, April 25, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GDL
Director

C: Howard L Alderman Jr, Levin & Gann, 402 Washington Avenue, 8th Floor,
Towson 21204
Billie F & Edward Miller, c/o Gaylord Brooks Realty Co Inc, 3312 Paper Mill Road,
Phoenix 21131
Brian A Dicara, McKee & Associates Inc, 5 Shawan Road, Suite 1,
Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, APRIL 10, 2002.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 19, 2002

Mr. Howard L Alderman Jr
Levin & Gann
502 Washington Avenue, 8th Floor
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number: 02-315-SPH, Tract "A" of Highfields A46/23

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures


c: Mr. Edward Miller, c/o Gaylord Brooks Realty Co, Inc, 3312 Paper Mill Rd,
Phoenix 21131
Brian A Dicara, McKee & Associates Inc, 5 Shawan Road, Suite 1,
Cockeysville 21030
People's Counsel
You can visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: March 21, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for March 4, 2002
Item Nos. 314, 315, 316, 319, 320,
321, 322, 323, 324, 327, 328 and
329

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File

ZAC-3-4-2002-NO COMMENT ITEMS-03212002.doc



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 28, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 25, 2002

Item No.:

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time regarding the following items.

314, 315, 316, 319, 321, 323, 325, 326, 328

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *qbs/jbt*

DATE: March 25, 2002

Zoning Advisory Committee Meeting of February 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

315

285, 314-325, 327-329

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 1, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT:

INFORMATION:

Subject: Eland Road
Item Number: 02-315
Petitioner: Edward and Billie Miller
Zoning: RC 5
Requested Action: Special Hearing

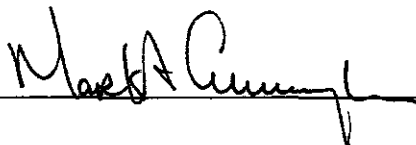
The petitioner is requesting a special hearing to amend Tract A of a previously approved development plan of Highfields. Highfields is a major subdivision of 8 lots and Tract A approved in 1978.

The proposal is to 1) transfer a 0.027 acre portion of lot 7 to Tract A; 2) to remove Tract A and its associated density of 1.61 acres from the Highfields Final Development Plan; 3) amend the Plat and FDP in accordance with the Zoning Commissioner's order; and, 4) designate a 0.798 acre portion of reconfigured Tract A as a non-density area to be conveyed to lot 7 with the density of Tract A remaining with the developable area of Tract A. With the combination of adjacent parcel 333 (owned by Edward and Billie Miller) and the buildable portion of Tract A, this will result in a parcel that has enough acreage/density to allow for a future minor subdivision of two lots with panhandle access from Eland Road.

SUMMARY OF RECOMMENDATIONS:

This office does not object to the requested special hearing, however, the petitioner should be made aware that panhandle lots are not permitted by right. Failure to oppose the subject request on the part of the Office of Planning should not be construed as support for any future panhandle development.

Prepared By:



Section Chief:
AFK:MAC



MAR

*Look
3/27
AP
4/25*



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.22.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

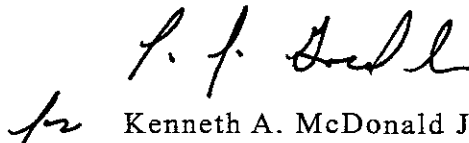
RE: Baltimore County
Item No. 315 JRA

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
Tract "A" of Highfields A46/23, N and S sides of
Elan Rd, 900' W of Foxland Rd
10th Election District, Councilmanic

Legal Owner: Edward & Billie Miller and
Ronald & Janice Allen
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-315-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**




PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of February, 2002 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

2nd Minor Subdivision Review

INTEROFFICE CORRESPONDENCE

DATE: 6/10/04

TO: DEPRM - DC (Bruce Seeley/Alli Cauthorn)
GWM (Dan Esser)
Agric. Pres. (Wally Lippincott)
SWM (Al Wirth/Ed Schmaus)
EIR (Pat Farr)
DPW - Solid Waste Management
Fire Dept. (Jim Mezzie)
OPCC - Development Review (Mark Cunningham)
PDM - House Numbers & Street Names (Joe Chmura)
Development Plans Review (Herb Oberc)
Land Acquisition (Steve Houk)
Rec & Parks (Jan Cook)
SHA (Larry Gredlein)

FROM: DONNA THOMPSON
Planner, Zoning Review

ZONING

SUBJECT: Minor Subdivision Review

Minor Subdivision Name: EDWARD MILLER PROPERTY
Minor Subdivision Number: 03-093-M Election District: 10
Engineer: McKEE & ASSOC. INC. Phone No.: 410-527-1565

ACTION: Please review the attached plan for compliance with the current regulations and **return comments to this office by** 6/25/04. *If you have no comments or do not need to review this plan, please indicate by placing your initials here* _____.

Please initial here if your agency requests Land Acquisition to acquire:

<input type="checkbox"/> HIGHWAY WIDENING	<input type="checkbox"/> FOREST BUFFER
<input type="checkbox"/> GREENWAY	<input type="checkbox"/> FLOODPLAIN
<input type="checkbox"/> DRAIN/UTILITY EASEMENT	<input type="checkbox"/> PUBLIC WORKS AGREEMENT
<input type="checkbox"/> FOREST CONSERVATION	<input type="checkbox"/> NONE OF THE ABOVE

COMMENTS:



October 15, 2004

Guy C. Ward, R.S.
McKee & Associates, Inc.
Shawan Place
Suite 1
5 Shawan Road
Cockeysville, Maryland 21030

RE: Spirit and Intent of Case No. 02-315-SPH
Tract "A" of "Highfields" Subdivision
10th Election District

Dear Mr. Ward:

Your letter to Permits and Development Management has been referred to me for reply. Based on the information provided in your letter and the zoning records located in this department the following has been determined.

The property known as Tract "A" of the subdivision "Highfields" as shown on the exhibit for zoning Case No. 02-315-SPH depicts the transfer of a 0.042-acre portion of Lot 7 to Tract "A" of "Highfields". Although the plan shows this portion of property being 0.027-acres, the order for this case does state that the transfer was for a 0.0423-acre portion. Therefore, this office does consider your request to be within the spirit and intent of Case No. 02-315-SPH. A copy of this letter and the amended plan will be placed within this case file.

Hopefully the information set forth in this letter is sufficiently detailed and responsive to this request. If you have any questions, please do not hesitate calling me at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Donna Thompson".

Donna Thompson
Planner II
Zoning Review

DT

Case Number

02-315-SPA

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

[illegible]



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

Jim
3/27
4/25

March 20, 2002

Howard L. Alderman Jr.
Levin & Gann
502 Washington Avenue, 8th Floor
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number 02-315-SPH, Tract A of Highfields A46/23

The above matter, previously scheduled for Wednesday, March 27, 2002, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon GDZ
Director

AJ: gdz

C: Edward & Billie F Miller, c/o Gaylord Books Realty Co Inc, 3312 Paper Mill Road,
Phoenix 21131
Ronald J & Janice R Allen, 3900 Eland Road, Phoenix 21131
Brian A Dicara, McKee & Associates Inc, 5 Shawan Road, Suite 1,
Cockeysville 21030

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

DATE: March 20, 2002

TO: Baltimore County, PDM
Office of Zoning Review

RE: Eland Road
No. 20-315-SPH

ATTN: Mr. George Zahner

(X) We are submitting () We are returning () We are forwarding

(X) Herewith () Under separate cover

No.	Description
1	Request to Reschedule Special Petition Hearing

() For processing () For your use () For your review


() Please call when ready () Please return to this office () In accordance with your request

Remarks: PLEASE CALL WITH RESCHEDULE DATE AND TIME, THANK YOU, BRIAN
(410) 527-1555

For further information, please contact the writer at this office.

Very truly yours,

McKee & Associates, Inc.


Brian A. Dicara, Project Manager

Enclosures

cc: McKee File

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

March 20, 2002

Mr. George Zahner
Baltimore County, PDM
Office of Zoning Review
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Zahner:

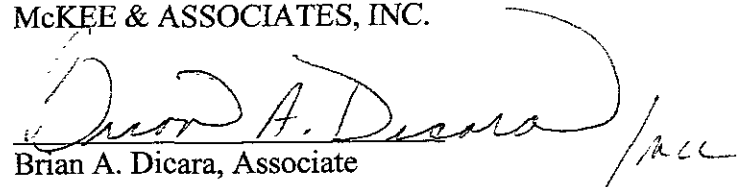
**Subject: 3900 Eland Road
Date for Special Hearing No. 20-315-SPH Rescheduled**

As per your request, I am writing on behalf of our client (Mr. Ed Miller) and the attorney (Mr. Howard Alderman) to reschedule the planned hearing date on March 27, 2002 for the above-referenced property. Due to scheduling conflicts, Mr. Alderman is unable to attend on the date that was previously scheduled. I am requesting that the Special Hearing be rescheduled for the next available date.

If you need anything further, please do not hesitate to call. Thank you in advance for your time.

Very truly yours,

McKEE & ASSOCIATES, INC.



Brian A. Dicara, Associate

BAD:mcc

WAYLEH GARDENS

Mr. & Mrs. Brent D. Lehmann 3904 Eland Road Phoenix, Maryland 21131 410-592-3950

March 13, 2002

MAR 14

Mr. Lawrence Schmidt
Zoning Commissioner
Baltimore County
New Court Building
401 Bosley Avenue
Room 405
Towson, Maryland 21204

RE: HEARING 3 02-315-SPH


Dear Mr. Schmidt:

The purpose of this letter is to request that any extension, no matter how wide, of Eland Road made pursuant to hearing #02-315-SPH be positioned so that the center of the extension will run directly down the center of the existing County right of way equal distance from both sides of said right of way.

And that the parties signing this letter be informed of the decision on this request prior to permission being granted in sufficient time to protest that decision if this request cannot be granted.

mailed decision 4/25/02
ry

Respectfully,


Brent D. Lehmann Sr.


Linda W. Lehmann

Owners Lot #13
3904 Eland Road

R. C. 5

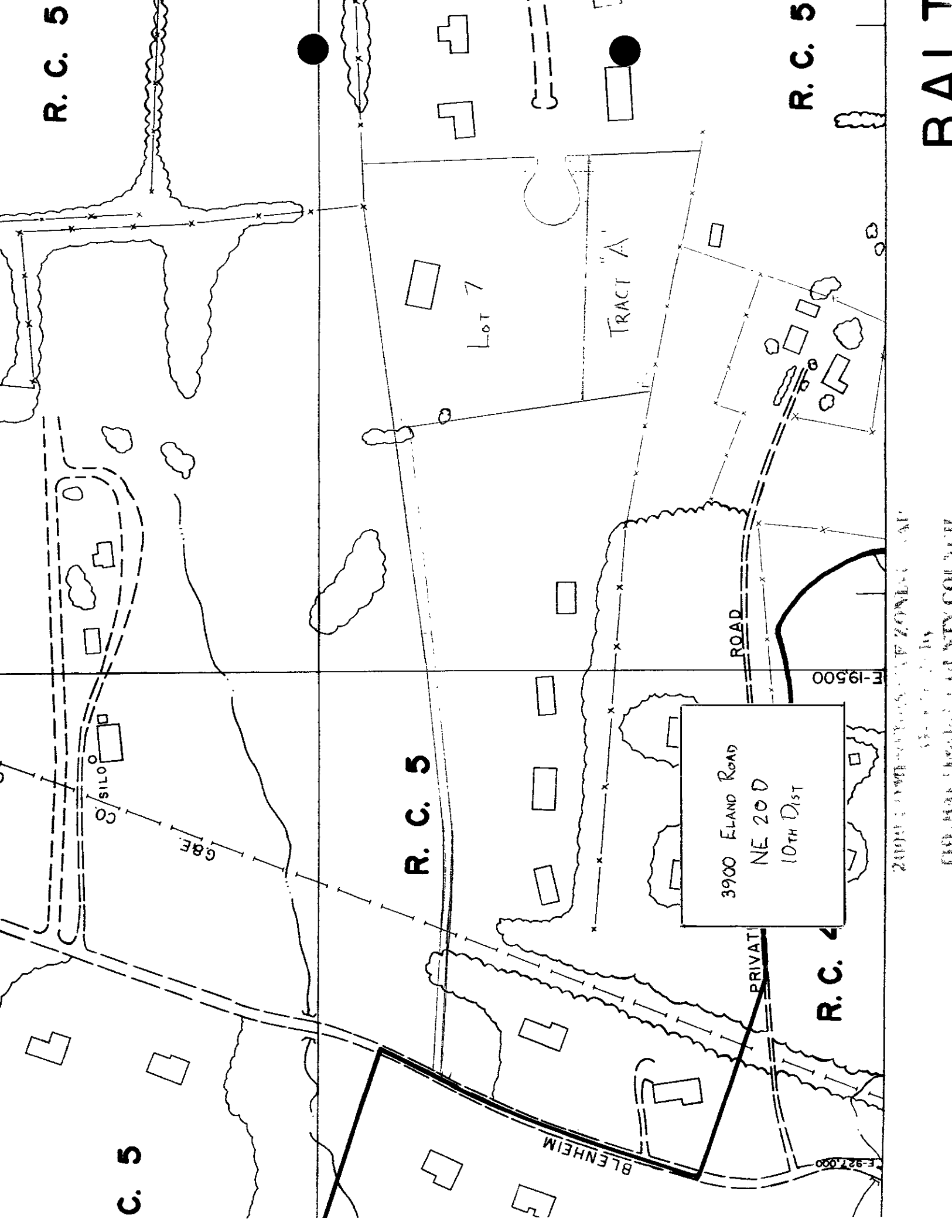
R. C. 5

BAIT

C. 5

R. C. 5

R. C. 4



2004 CONVEYANCE MAP ZONED MAP

2004 CONVEYANCE MAP ZONED MAP

REASON FOR FIRST AMENDED
FINAL DEVELOPMENT PLAN
ZONING ORDER CASE #02-315-SPH

BY THE PETITIONER'S ATTORNEY
A. J. DEWITT, P.P. 10
1000 E. JONES RD.
BALTIMORE, MD. 21204
(THE "A" OF "HIGHFIELDS")
Richard and Edith Miller &
Edward H. Miller
Petitioners

REPORTER
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 02-315-SPH

WHEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, that the Petitioner's Request for Special Hearing be granted.

1. To transfer a 0.021 AC. ± portion of Lot 7 to Tract 'A' of "HIGHFIELDS".
2. To remove Tract 'A' as reconfigured, and its associated density of 1.01 AC. ± from "HIGHFIELDS".
3. To amend the Plat and FDP of "HIGHFIELDS" pursuant to Zoning Commissioners Order.
4. To designate a 0.798 AC. ± portion of re-configured Tract 'A' as a non-density area to Lot 7, with the density of Tract 'A' remaining with the developable area of Tract 'A' remaining with the developable area of Tract 'A'.

It is further ORDERED, that any appeal of this decision must be made within 30 days of the date of this Order.

DENSITY CALCULATIONS

(FROM RESUBDIVISION OF LOTS 7 & 8 "HIGHFIELDS")
EXISTING ZONING: RC-5
GROSS AREA OF LOTS 7 & 8: 8.19 AC. ±
NUMBER OF LOTS PERMITTED: 8.19 AC. x 0.967 = 7.91 LOTS
NUMBER OF LOTS PROPOSED: 2 LOTS

REASON FOR SPECIAL HEARING

- 1) TRANSFER A 0.021 AC. ± PORTION OF LOT 7 TO TRACT 'A' OF "HIGHFIELDS".
- 2) TO REMOVE TRACT 'A' AS RECONFIGURED, AND ITS ASSOCIATED DENSITY OF 1.01 AC. ± FROM "HIGHFIELDS".
- 3) AMEND THE PLAT AND FDP OF "HIGHFIELDS" PURSUANT TO ZONING COMMISSIONERS ORDER.
- 4) DESIGNATE A 0.798 AC. ± PORTION OF RE-CONFIGURED TRACT 'A' AS A NON-DENSITY AREA TO LOT 7, WITH THE DENSITY OF TRACT 'A' REMAINING WITH THE DEVELOPABLE AREA OF TRACT 'A'.

- NOTES:
1. PRIVATE WATER AND SEWER.
 2. NO PRIOR ZONING HEARINGS.
 3. PARCEL DOES NOT FALL IN CHESAPEAKE BAY CRITICAL AREA.
 4. PARCEL DOES NOT FALL IN A 100 YEAR FLOOD PLAIN.

NOTE:

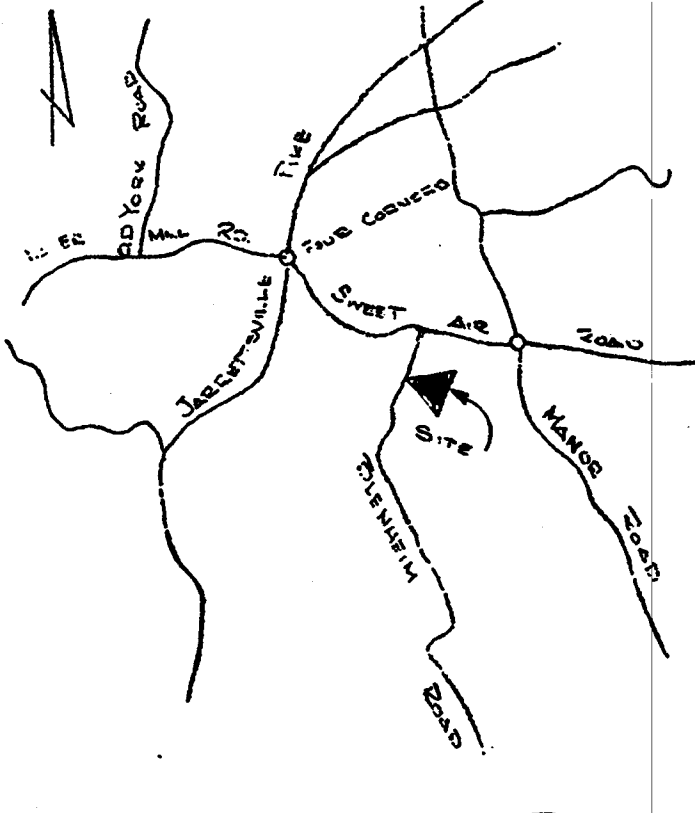
"THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PDM BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY."

ACCESSORY STRUCTURES NOTES:

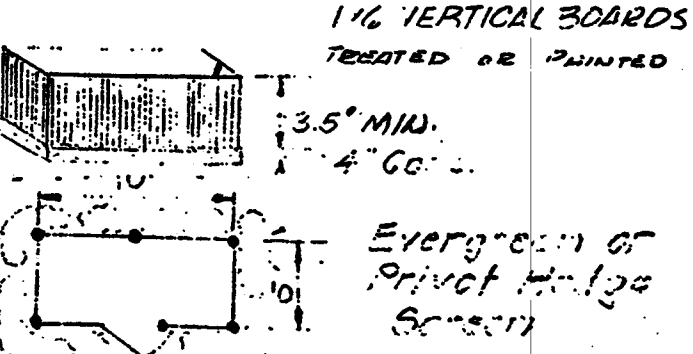
- A) ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPES, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
- B) ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.

FIRST AMENDED
OFFICE OF PLANNING AND ZONING
APPROVED BY:
DIRECTOR OF PLANNING DATE
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT DATE

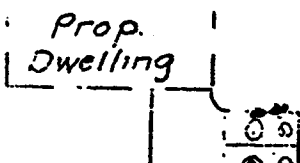
SIGNED AND SEALED FOR COMPLIANCE WITH FIRST AMENDMENT ONLY. THERE ARE NO PREVIOUSLY APPROVED DEVELOPMENT / GRD PLANS EXTENDING TO THIS SITE.
DATE: 1/25/04
JAMES W. MCKEE
MARYLAND REGISTRATION NO. 9012



LOCATION PLAN
SCALE 1" = 1/4 MI.



DETAIL: ENCLOSURE FOR REFUSE CONTAINERS



TYPICAL PARKING LAYOUT
NO SCALE

SEE DETAIL FOR REFUSE CONTAINER ENCLOSURE APPROX. LOCATION

GENERAL NOTES
AREA OF PROPERTY: 48.35 AC. ±
EXISTING ZONE: RC-5
NO. OF LOTS PERMITTED: 24 LOTS
NO. OF LOTS PROPOSED: 8 LOTS

1. Private water and septic systems to be installed in accordance with Baltimore County Health Department Regulations.
2. There shall be two (2) off street parking spaces (30'x20') provided for each lot constructed with Macadam surface.
3. Location of drives and parking to be determined by location of residence.
4. There shall be no grading of the entire site.
5. There shall be no clearing of trees and shrubs from any lot, only dead damaged or trees necessary for the construction of homes and drives are to be removed.
6. Minimum grading shall be performed as required for the construction of homes and drives on any lot.
7. Planting on each lot to be provided by the owner of the lot.
8. All lots shown hereon are to be sold.
9. Max. building height of any structures 25'.
10. Major vegetation - grassland.
11. No open space required.
12. Contours shown hereon are Baltimore County Photogrammetries.
13. Min. building setbacks required - 75' from centerline of street, and not less than 50' from future right-of-way line, a minimum of 50' from both side lot lines, or a minimum of 50' from any rear lot line.
14. The owner reserves the right to create and realign all drainage easements prior to the sale of the lots.
15. Lot dimensions and acreage as shown are approx. and are substantially in accordance with the Plat of Record.
16. The owner reserves the right to realign and create joint drive-ways and maintenance agreements for individual lots, prior to sale.
17. Tract removable by Baltimore County, to the location of PANHANDLE envelopes shown hereon are for the location of all principal buildings only. accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Section 400 & 301 of the Baltimore County Zoning Regulations (subject to covenants & applicable building permits). Front of house to be 50' from property line.
18. PANHANDLE TO BE PAVED WITH MACADAM SURFACE

OFFICE OF PLANNING AND ZONING
APPROVED BY
DATE 6/27/78
DIRECTOR OF PLANNING
DATE 6/25/78
DEPUTY ZONING COMMISSIONER



EDWARD H. MILLER
4711/35

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR

FINAL DEVELOPMENT PLAN
— HIGHFIELDS —

10th ELECTION DISTRICT BALTIMORE CO. MD.
SCALE 1" = 100'
JUNE 23, 1978
REVISED: 01/25/2002

OWNER & DEVELOPER
Geoffrey Weems, Et al
c/o M & M Consultant Co., Inc.
P.O. Box 400, Phoenix, Md. 21131

K. F. RAPHAEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

X-151
Sprint 10/15/04
Approved: [Signature]
Planner

[illegible]

SPECIAL HEARING CASE NO. 02-315-SPH

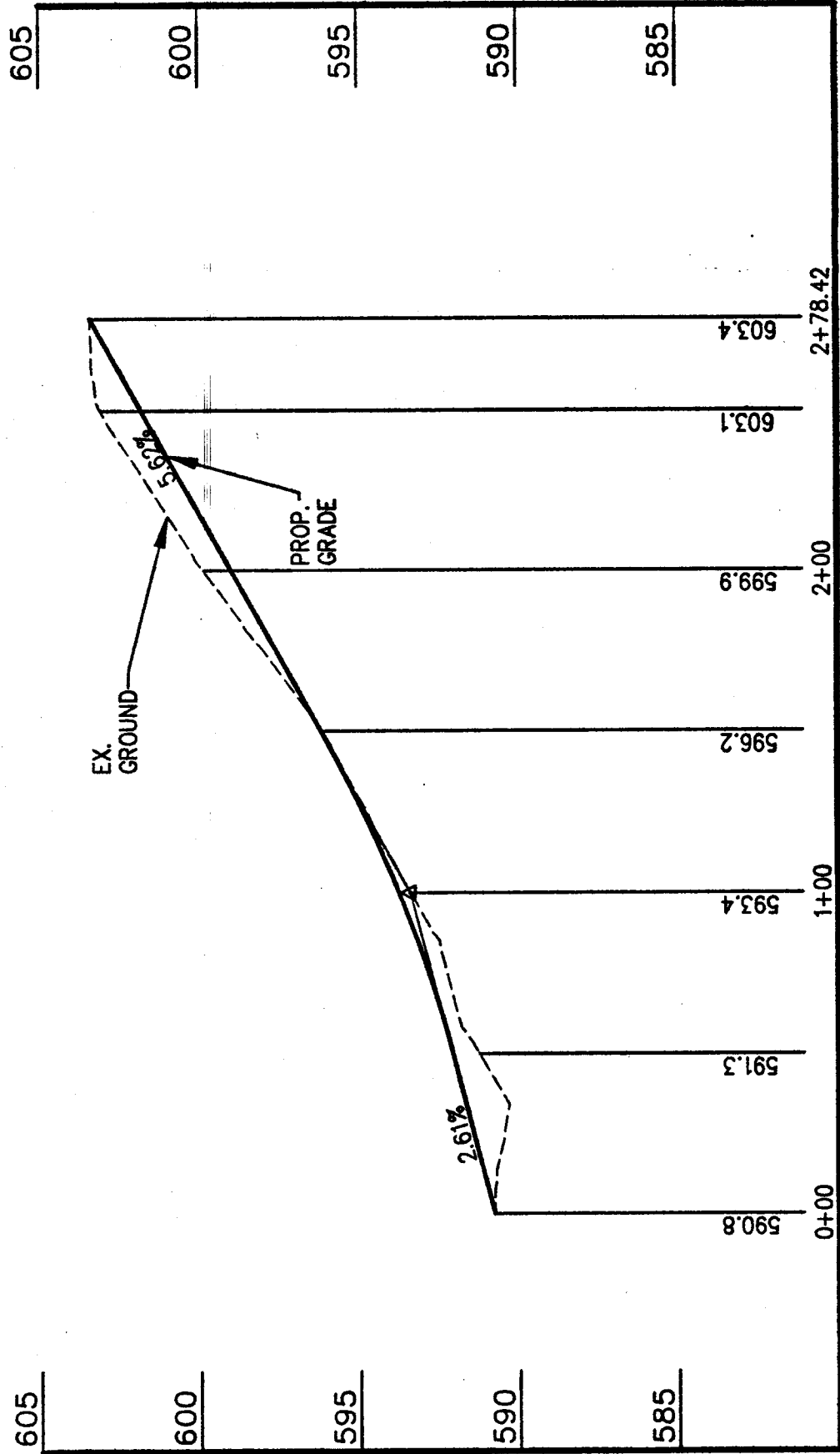
THEFOREIN, it is ORDERED, by the Deputy Zoning Commission for the Baltimore County, that this 25th day of April, 2002, that the Petitioner's Request for Special Hearing from Section 3007.1 of the B.C.Z.R., to approve the following:

1. To amend a 0.0423 acre portion of Lot 7 from "W" of "Highlander";
2. To remove Tract "A" as reconfigured, and to reclassified density of (A) acres 14-
3. To amend the Plat and F.D.P. of "Highlander" pursuant to Zoning Commissioner's Order and
4. To designate 0.0798 acre 14-portion of reconfigured Tract "W" as a non-density acre to Lot 7, with the density of Tract "W" all remaining with the density on the following plat to accompany Petition for Special Hearing of 1st Amended F.D.P. of "Highlander".

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

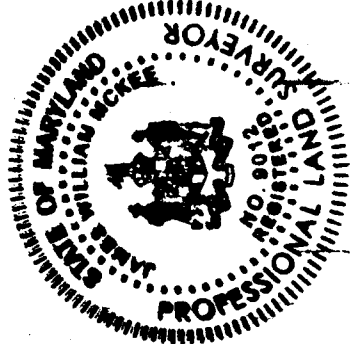
GROSS AREA OF SITE = 3.72 AC±
NET AREA OF SITE = 3.72 AC±
HIGHWAY WIDENING AREA = 0 AC±
DEED REFERENCE: 52037856
TAX ACCOUNT NO.: 160003900
TAX MAP #4, GRID 1, PARCEL NO. 333 & 158
REGIONAL PLANNING DISTRICT: 305
SCHOOL DISTRICT: JACKSONVILLE ELEMENTARY
COOKEYS/HIGH MIDDLE SCHOOL
DULANEY/HIGH MIDDLE SCHOOL
WATERSHED (CUM-POWDER)
ZONING: R-5
NO. OF LOTS ALLOWED: 3.72 AC. x 0.667=2
NO. OF LOTS PROPOSED: 2
COUNTY/MUNICIPAL DISTRICT: 6
BALT. CO. ZONING MAP REFERENCE NO.: NE2000



SCALE: HOR.: 1" = 50'

SOILS LIMITATION CHART					
MAP SYMBOL	SOIL SERIES	HOMESTES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC K' VALUE	CAPABILITY UNIT
E82	ELOKK	SLIGHT	SEVERE WATER	NO	0.37
G8	GLENNVILLE	SEVERE WATER	MODERATE: SLOPE	NO	0.32
M82	MANOR	MODERATE: SLOPE	MODERATE: SLOPE	NO	0.37

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION PLAN COMMENTS DATED 12-31-03 AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE COMMENTS.



Natural Resource Planning - Real Estate Development
SHAWAN ROAD, Suite 1
COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555
FACSIMILE: (410) 527-1563

JAMES W. MCKEE
MARYLAND REG. No. 9012

DATE	REASON FOR REVISION
4/13/04	COUNTY AGENCY COMMENTS

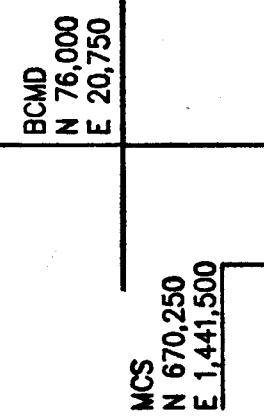
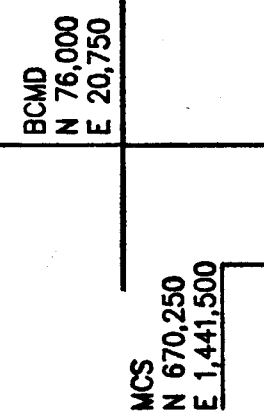
EDWARD H. MILLER
& BILLIE F. MILLER
13939 BLENHEIM RD
PHOENIX, MD 21131
DEED REF: 5203/856
TAX ACCT.#: 1600003900

EDWARD MILLER PROPERTY

10th ELECTION DISTRICT
SCALE: 1" = 50'
BALTIMORE COUNTY, MARYLAND
DATE: AUGUST 6, 2002
REVISION DATE: APRIL 13, 2004

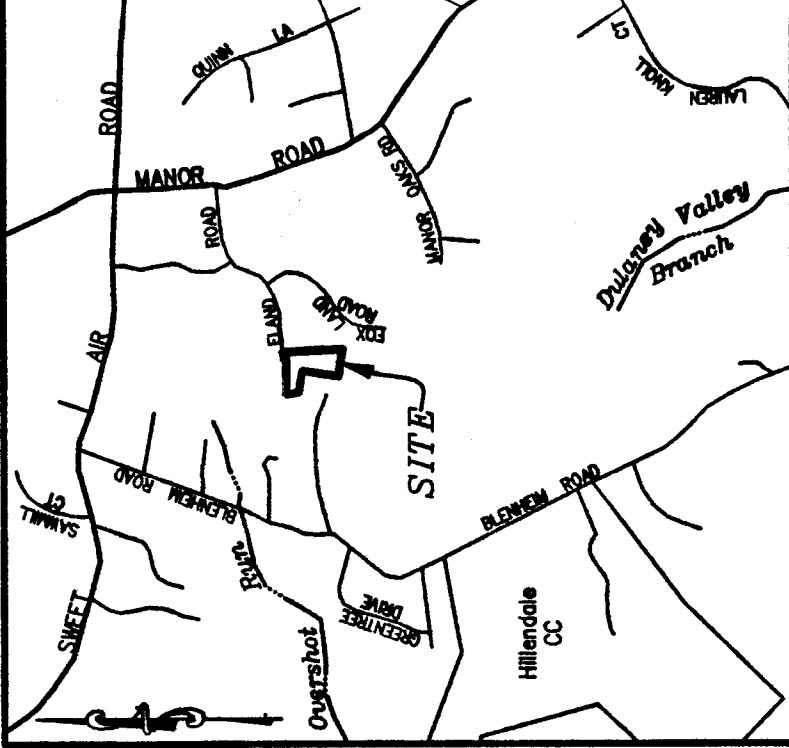
THIS OFFICE HAS REVIEWED THE INFORMATION SUBMITTED AND FINDS THAT A VARIANCE CAN BE GRANTED FOR THIS PROJECT UNDER SECTION 14-155(a)(1) OF ARTICLE V OF THE BALTIMORE COUNTY CODE. THIS SECTION OF THE REGULATIONS ALLOWS A VARIANCE FROM THE UNDERWATER MANAGEMENT VARIANCE TO BE GRANTED IF THERE WERE EXCEPTIONAL CIRCUMSTANCES SUCH THAT STRICT ADHERENCE TO THE PROVISIONS OF THIS ARTICLE WOULD RESULT IN UNREASONABLE HARSHNESS OR PRACTICAL DIFFICULTY AND NOT FULFILL THE INTENT OF THIS ARTICLE IN APPROVING THE VARIANCE. THE FOLLOWING CONDITIONS MUST BE MET:

1. ALL RIMPOUT MUST BE CONVERTED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERWAY.
2. THE TOTAL AREA OF LAND DISTURBED MUST BE NOTED ON THE PLAN, LISTS OF DISTURBANCE MUST BE SHOWN ON THE PLAN, AND AS MUCH AS POSSIBLE, IMPROVED AREAS SHOULD BE CONVERTED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT THE NEED FOR EROSION CONTROL.
3. DOWN SLOPE SLOPES SHOULD BE DISCHARGED INTO PERVIOUS AREAS WHERE FEASIBLE.
4. ADDITIONAL SUBMISSION ON THESE PARCELS AND/OR LOTS WILL REQUIRE STORMWATER MANAGEMENT CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBMISSION TO THE STORMWATER MANAGEMENT FUND IN THE AMOUNT OF \$1,500 OR \$40.00 PER ON-SITE IMPROVED ACRE IN THIS CASE. ADORES. THIS PAYMENT SHALL BE MADE PRIOR TO RAINFALL APPROVAL. THIS IS THE RATE FOR RESIDENTIAL PROPERTIES OUTSIDE THE PRIORITY FLOODING AREA AND URBAN RURAL REDEVELOPMENT LINE. THE RATE FOR COMMERCIAL PROPERTIES OUTSIDE THE PRIORITY FLOODING AREA AND URBAN RURAL REDEVELOPMENT LINE WILL BE DETERMINED BY THE FINANCE AND ADMINISTRATION SECTION OF THIS DEPARTMENT. THE SUBMITTER SHALL BE REQUIRED TO SUBMIT TO ROBERT SCHLECHER OF THE FINANCE AND ADMINISTRATION SECTION OF THIS DEPARTMENT.

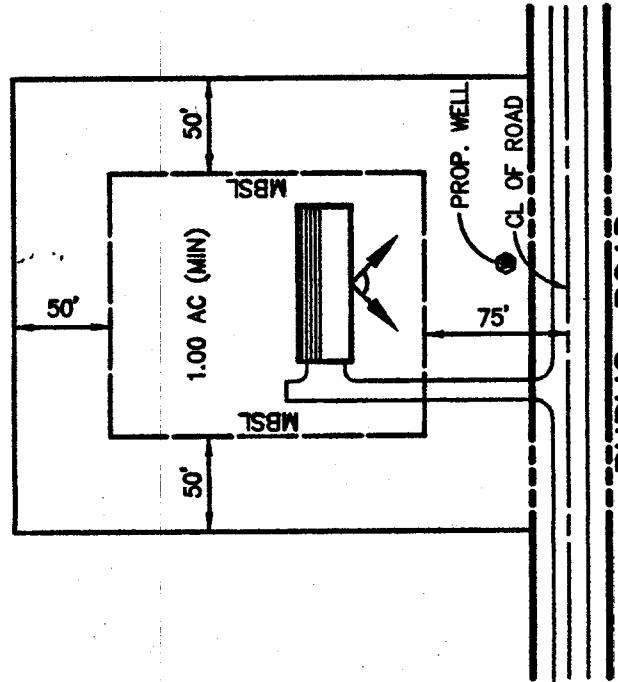
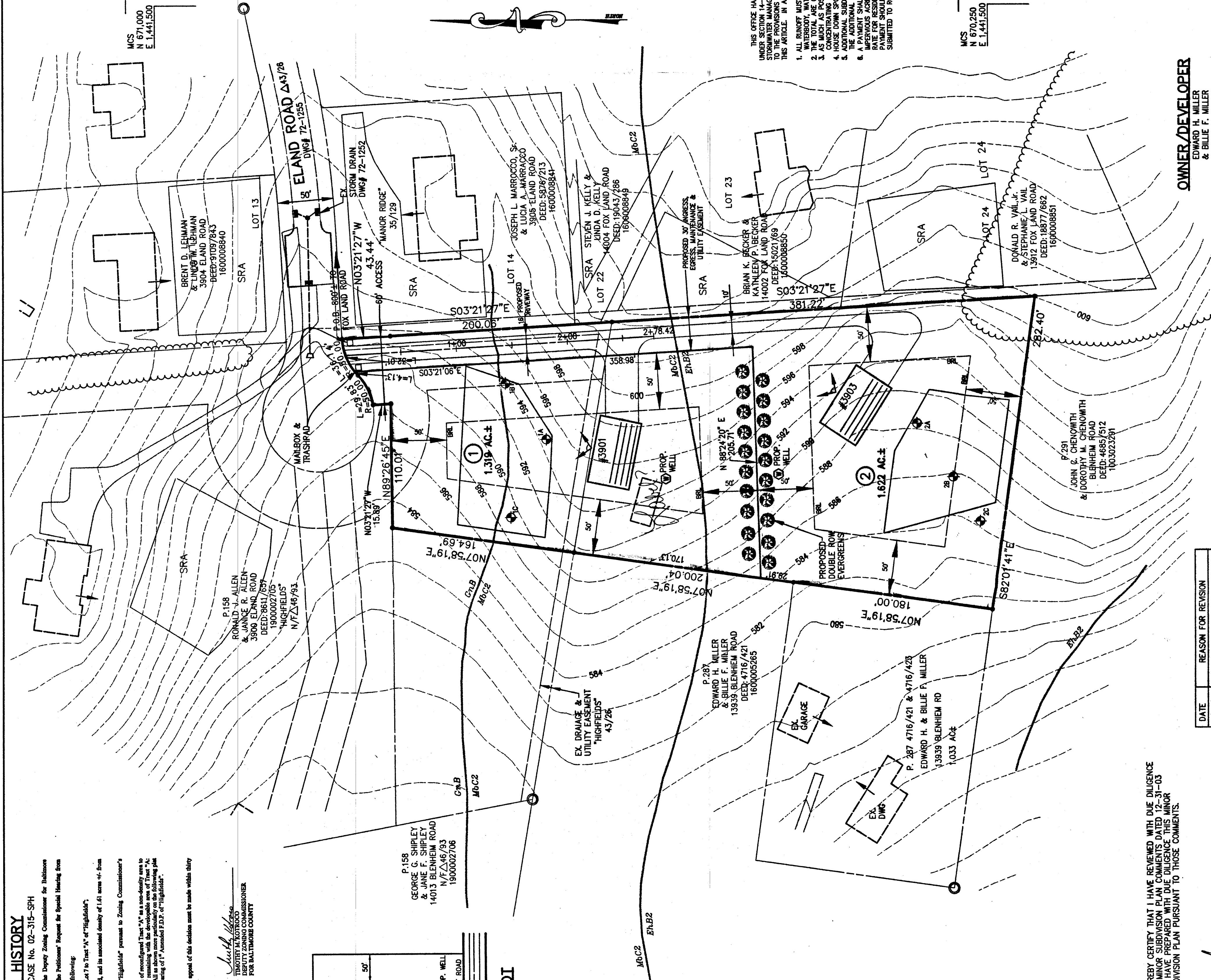


BALTIMORE COUNTY MINOR SUBDIVISION	
PROJECT No. 03-093-M	
DEVELOPMENT REGULATIONS:	
<input type="checkbox"/> EXEMPT FROM DIVISION 2 <input type="checkbox"/> PAVEMENT, EXEMPT FROM SECTIONS 26-202 & 26-206	
PDM CERTIFICATION:	
<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED	
BY: _____	DATE _____
APPROVED, DEPRM:	
BY: _____	DATE _____

RECEIVED
JUN 8 2004
DEPT. OF PERHITS AND
DEVELOPMENT MANAGER



VICINITY MAP
SCALE: 1" = 2000'

[illegible]

NOT TO SCALE